

violation of 18 U.S.C. § 844(h) as reflected in Count 2 of the Indictment;

3) that on or about July 10, 2017, Mr. Roden did make, carry, and discharge a destructive device, i.e., a pipe bomb, during and in relation to a crime of violence, that being a violation of 18 U.S.C. § 844(p), maliciously damaging federal property, by discharging the pipe bomb at the United States Air Force Recruiting Center located at 10425 S. 82nd E. Avenue, Suite 103, Tulsa, Oklahoma, in the Northern District of Oklahoma, in violation of 18 U.S.C. § 924(c)(1)(A), as reflected in Count 3 of the Indictment;

4) that on or about July 10, 2017, in the Northern District of Oklahoma, Mr. Roden did make destructive devices, as that term is defined in 26 U.S.C. §§ 5845(a)(8) and 5845(f) that is "pipe bombs," in violation of 18 U.S.C. § 5861(f), 5822 and 5871, as reflected in Count 4 of the Indictment;

5) that on or about July 10, 2017, in the Northern District of Oklahoma, Mr. Roden knowingly possessed destructive devices, that is pipe bombs, in violation of 26 U.S.C. §§ 5845(a)(8) and 5845(f). Said devices had not been registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5861(d) and 5871, as reflected in Count 5 of the Indictment;

6) that on or about July 9, 2017, in the Northern District of Oklahoma, Mr. Roden willfully injured and committed depredations against property of the United States Air Force, a department and agency of the United States and the damage of such property exceeded \$1,000.00, in violation of 18 U.S.C. § 1361, as reflected in Count 6 of the Indictment.

7) The parties stipulate that the government, by way of the Complaint and Affidavit

for the Complaint, has presented sufficient evidence to establish the factual elements of the crimes charged in the Indictment. Further, that the Affidavit filed in this case to support the initial Complaint (Government's Exhibit 1) is incorporated by reference to be used to provide facts, background and context for the Court's use in this proceeding; and

8) The parties further stipulate that Dr. Terese Hall, J.D., Ph.D, ABPP, psychologist, would testify consistently with her written reports of her evaluations of Mr. Roden. Those reports are titled Psychological Report. The parties also stipulate to the admission of the Forensic Evaluation and Forensic Evaluation Addendum for the Court's consideration in determining the appropriate disposition of the competency hearing and non-jury trial.

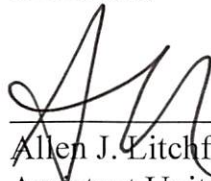
Submitted this 9th day of October, 2018.



Whitney Mauldin, OBA #13882
Scott A. Graham, OBA #19817
Asst. Federal Public Defenders
1 West 3rd Street, Suite 1225
Tulsa, Oklahoma 74103-3532
Counsel for Defendant Roden



Benjamin Don Roden
Defendant



Allen J. Litchfield, OBA #11692
Assistant United States Attorney
110 West 7th Street, Suite 300
Tulsa, Oklahoma 74119-1013
Counsel for Plaintiff